

JAN 23 2008

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**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

JONATHAN LEE RICHES,
Plaintiff,

V.

**EBERSOLE, et al.,
Defendants.**

Civil Action No. 7:08-cv-00037

FINAL ORDER

By: Samuel G. Wilson
United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby **ADJUDGED AND ORDERED** that Riches' complaint is hereby **DISMISSED** without prejudice pursuant to 28 U.S.C. § 1915(g); Riches' request to proceed in forma pauperis is **DENIED as MOOT**; and this case will be **STRICKEN** from the active docket of the court.

The Clerk of the Court is directed to send certified copy of this Order and the accompanying Memorandum Opinion to plaintiff.

ENTER: This 23rd day of January, 2008.

United States District Judge